

Attorney Docket No. 4578 P 020
/186133.1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)	
)	
David J. Kolacz, Ross Mack, Robert W. Steingass)	
and Brian M. Tylisz)	
)	
Application No. To be Assigned)	Examiner: To be Assigned
)	
Patent No. 6,305,621 B1)	Group Art Unit: To be Assigned
)	
Issued: October 23, 2001)	
)	
For: Pivoting Fluid Conduit Joint and One-Way)	
Brake)	

**REISSUE APPLICATION DECLARATION
AND POWER OF ATTORNEY OF ASSIGNEE**

MAIL STOP REISSUE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

I hereby declare that:

My residence and mailing address and citizenship are stated below next to my name.

I am authorized to act on behalf of the assignee, TASK FORCE TIPS, INC., and the title of my position with said assignee is Vice President of Engineering.

The entire title to the patent identified below is vested in said assignee.

Patentees: David J. Kolacz
 Ross Mack
 Robert W. Steingass
 Brian M. Tylisz

Patent No.: 6,305,621 B1

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Reissue Application Declaration and Power of Attorney of Assignee
Page 2

Patent Issue Date: October 23, 2001

Title of Invention: Pivoting Fluid Conduit Joint and One-Way Brake

I believe said patentees to be the original, first and joint inventors of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled "Pivoting Fluid Conduit Joint and One-Way Brake," the specification of which is attached hereto.

I have reviewed and understand the contents of the above-identified application, including the claims, as amended by the Preliminary Amendment attached hereto.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentees claiming more or less than they had the right to claim in the patent.

The error(s) upon which reissue is based is described as follows:

The claims of the '621 patent are unnecessarily narrow. Thus, I believe that I claimed less than I had a right to claim in the '621 patent. For example, Claim 1, one of the independent claims of the '621 patent, has errors in that it contains certain limitations that are unnecessary in view of the prior art of record. The scope of the invention of the '621 patent is broader than, and not necessarily limited to, a mechanism having all of the recited elements of Claim 1. For example, Claim 1 requires the unnecessary limitation "a one-way brake, wherein the one-way brake comprises...." followed by the elements at column 6, lines 47-57, which elements are not necessary. Claim 1 also contains other unnecessary limitations with respect to trunnions joining a ball and socket. Claim 1 is unnecessarily narrowed by the inclusion of such elements, and such errors render the original patent partly inoperative or invalid. Thus, there has been a failure to appreciate the full scope of the invention, and new Claim 14 is being presented.

This reissue is a broadening reissue, and the nature of the broadening in new Claim Nos. 5-15 includes elimination from the broadest of these claims of the elements listed in the

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Reissue Application Declaration and Power of Attorney of Assignee
Page 3

immediately preceding paragraph. Some aspects of Claims 5-15 are narrower, however, than the broadest claims originally sought by Applicants. For example, claims are now directed to firefighting monitors, in conjunction with (a) a housing, and an inlet joint pivotable about an axis (Claim 5); and (b) first and second ball and socket combinations, disposed on different and perpendicular axes (Claim 11).

All errors in the patent which are being corrected in the present Reissue Application up to the time of filing of this Declaration arose without deceptive intent on the part of the Applicants.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

Keith V. Rockey	- 24,713	David L. Schwartz	- 42,133
Daniel N. Christus	- 29,626	Austin J. Foley	- 42,543
Linda A. Kuczma	- 30,861	Matthew J. Gryzlo	- 43,648
Roger H. Stein	- 31,882	Peter M. Klobuchar	- 43,722
Kathleen A. Lyons	- 32,815	Brent A. Hawkins	- 44,146
Micheal D. Lake	- 33,727	William J. Lenz	- 44,208
Robert W. Diehl	- 35,118	Maurice E. Teixeira	- 45,646
Bradley F. Rademaker	- 35,331	Joseph M. Kinsella Jr.	- 45,743
Richard C. Himelhoch	- 35,544	Sanjay K. Murthy	- 45,976
Monique A. Morneauault	- 37,893	Stephen R. Auten	- 47,396
Jeffrey R. Gargano	- 38,148	Bryan C. Wallace	- 48,190
Paul J. Nykaza	- 38,984	Peter M. Siavelis	- 51,136
Edward L. Bishop	- 39,110	Nicholas C. Pruhs	- 52,136
James P. Muraff	- 39,785		

Send correspondence and direct telephone calls to:

Daniel N. Christus, Esq.
Wallenstein Wagner & Rockey, Ltd.
311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
Phone: 312.554.3300
Fax: 312.554.3301

I hereby declare all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are

Attorney Docket No. 4578 P 020
Reissue Application Declaration and Power of Attorney of Assignee
Page 4

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Date: October 23, 2003



Robert W. Steingass

Address of Assignee: 2800 East Evans Avenue
Valparaiso, Indiana 46383-6940

Full Name of First Patentee: David J. Kolacz
Residential Street Address: 16719 West 9th Road
City and State/Province: Plymouth, Indiana
Country and Zip/Postal Code: U.S.A. 46563
Citizenship: United States of America
Mailing Address: (Same as above)

Full Name of Second Patentee: Ross Mack
Residential Street Address: 1305 Boca Lago Drive
City and State/Province: Valparaiso, Indiana
Country and Zip/Postal Code: U.S.A. 46383
Citizenship: United States of America
Mailing Address: (Same as above)

Full Name of Third Patentee: Robert W. Steingass
Residential Street Address: 202 Oakridge Court
City and State/Province: Valparaiso, Indiana
Country and Zip/Postal Code: U.S.A. 46385
Citizenship: United States of America
Mailing Address: (Same as above)

Full Name of Fourth Patentee: Brian M. Tylisz
Residential Street Address: 4394 N. 630 W.
City and State/Province: LaPorte, Indiana
Country and Zip/Postal Code: U.S.A. 46350
Citizenship: United States of America
Mailing Address: (Same as above)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Issued: October 23, 2001)	
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For: Pivoting Fluid Conduit Joint and One-Way)	
Brake)	

CERTIFICATE UNDER 37 C.F.R. §§ 1.172 and 3.73(b)

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Assignee, TASK FORCE TIPS, INC., an Indiana corporation, certifies that it is the Assignee of the entire right, title and interest in the patent identified above (U.S. Patent No. 6,305,621 B1, issued October 23, 2001) by virtue of an Assignment from the inventors. This Assignment was recorded in the U.S. Patent and Trademark Office on July 17, 2000, on Reel 010978, Frame 0948.

The undersigned (whose title is supplied below) is empowered to sign this Certificate on behalf of the Assignee, TASK FORCE TIPS, INC.

Furthermore, TASK FORCE TIPS, INC., assignee of U.S. Patent No. 6,305,621 B1, consents to the filing of a Reissue Application for the reissue of U.S. Patent No. 6,305,621 B1.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these

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Certificate Under 37 C.F.R. §§ 1.172 and 3.73(b)
Page 2

statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Date: October 23, 2003



Signature

Name: Robert W. Steingass
Title: Vice President of Engineering,
Task Force Tips, Inc.

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/186102.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Issued: October 23, 2001)	
)	
For: Pivoting Fluid Conduit Joint and One-Way)	
Brake)	

**REISSUE APPLICATION DECLARATION
AND POWER OF ATTORNEY OF JOINT INVENTORS**

MAIL STOP REISSUE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is described and claimed in U.S. Patent No. 6,305,621 B1, granted October 23, 2001, and for which a Reissue Application is being sought on the invention entitled "Pivoting Fluid Conduit Joint and One-Way Brake," the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by the Preliminary Amendment attached hereto.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I believe the original patent to be wholly or partly inoperative or invalid by reason of claiming more or less than I, as an inventor, had the right to claim in the patent, the excess or insufficiency in the claims being specified below.

The error(s) relied upon in the above statements is as follows:

The claims of the '621 patent are unnecessarily narrow. Thus, I believe that I claimed less than I had a right to claim in the '621 patent. For example, Claim 1, one of the independent claims of the '621 patent, has errors in that it contains certain limitations that are unnecessary in view of the prior art of record. The scope of the

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Reissue Application Declaration and Power of Attorney of Joint Inventors

Page 2

invention of the '621 patent is broader than, and not necessarily limited to, a mechanism having all of the recited elements of Claim 1. For example, Claim 1 requires the unnecessary limitation "a one-way brake, wherein the one-way brake comprises...." followed by the elements at column 6, lines 47-57, which elements are not necessary. Claim 1 also contains other unnecessary limitations with respect to trunnions joining a ball and socket. Claim 1 is unnecessarily narrowed by the inclusion of such elements, and such errors render the original patent partly inoperative or invalid. Thus, there has been a failure to appreciate the full scope of the invention, and new Claim 14 is being presented.

This reissue is a broadening reissue, and the nature of the broadening in new Claim Nos. 5-15 includes elimination from the broadest of these claims of the elements listed in the immediately preceding paragraph. Some aspects of Claims 5-15 are narrower, however, than the broadest claims originally sought by Applicants. For example, all claims are now directed to firefighting monitors, in conjunction with (1) a housing, and an inlet joint pivotable about an axis (Claim 5); and (b) first and second ball and socket combinations, disposed on different and perpendicular axes (Claim 11).

All errors in the patent which are being corrected in the present Reissue Application up to the time of filing of this Declaration arose without deceptive intent on my part.

U.S. Patent No. 6,305,621 B1 has been assigned. Therefore, a Consent to Reissue by the assignee is required and is attached.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s)

			<u>Priority Claimed</u>
(None) Number	Country	Day/Month/Year Filed	Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>(None)</u> Application Number	Filing Date
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Reissue Application Declaration and Power of Attorney of Joint Inventors

Page 3

I hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

(None)	Application Number	Filing Date	Status
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

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Edward L. Bishop	- 39,110	Nicholas C. Pruhs	- 52,136
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Daniel N. Christus, Esq.
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311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
Phone: 312.554.3300
Fax: 312.554.3301

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Attorney Docket No. 4578 P 020
Reissue Application Declaration and Power of Attorney of Joint Inventors
Page 4

Full Name of First Joint Inventor: **David J. Kolacz**
Residential Street Address: **16719 West 9th Road**
City and State/Province: **Plymouth, Indiana**
Country and Zip/Postal Code: **U.S.A. 46563**
Citizenship: **United States of America**

Mailing Address: (Same as above)

Inventor's Signature: David J. Kolacz
Date: Oct. 23, 2003

Attorney Docket No. 4578 P 020
Reissue Application Declaration and Power of Attorney of Joint Inventors
Page 5

Full Name of Second Joint Inventor: **Ross Mack**
Residential Street Address: **1305 Boca Lago Drive**
City and State/Province: **Valparaiso, Indiana**
Country and Zip/Postal Code: **U.S.A. 46383**
Citizenship: **United States of America**

Mailing Address: (Same as above)

Inventor's Signature: Ross Mack

Date: 10-23-03

Attorney Docket No. 4578 P 020

Reissue Application Declaration and Power of Attorney of Joint Inventors

Page 6

Full Name of Third Joint Inventor: **Robert W. Steingass**

Residential Street Address: 202 Oakridge Court

City and State/Province: Valparaiso, Indiana

Country and Zip/Postal Code: U.S.A. 46385

Citizenship: United States of America

Mailing Address: (Same as above)

Inventor's Signature: 

Date: 23rd Oct. 2003

Attorney Docket N . 4578 P 020
Reissue Application Declaration and Power of Attorney of Joint Inventors
Page 7

Full Name of Fourth Joint Inventor: Brian M. Tybuz
Residential Street Address: 4394 N. 630 W.
City and State/Province: LaPorte, Indiana
Country and Zip/Postal Code: U.S.A. 46350
Citizenship: United States of America
Mailing Address: (Same as above)

Inventor's Signature: Brian M. Tybuz

Date: 10/23/03